FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

Criminal Application No.1721/07.

Pravin Bhaurao Pawar
.vs.
The State of Mah.

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's orders.	Court's or Judge's Orders

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Coram: C. L. PANGARKAR J.
Dated : 13th July 2007

1. Heard Mr.Anil Mardikar, Advoate for the applicant and Mr.Sonare, Addl.Public Prosecutor for the State.

2. This is an application under Section 438 of Code of Criminal Procedure.

3. One Shilpa was married to the present applicant on 3/2/2007. After marriage she went to her parents house in order to appear for an examination. She stayed with her parents for a period of one year. It is the case of the prosecution that when the accused had gone to reach Shilpa at he parents house, he told

them that he wanted to purchase a Car and for that he wants a sum of Rs.3 Lakhs. He demanded the sum under the threat that if such amount is not paid, he will not cohabit with her. Saying so he left. On 25/5/2007 the present applicant/accused went at Rajura once again to bring Shilpa back to his house. It is alleged that even at that time he told his father-in-law that he should make arrangement of Rs.3 Lakhs. On 30/5/2007 the father of deceased Shilpa had received an information that his daughter is seriously ill. When he reached there, he found that she had already died. On the next day, he immediately lodged a report with the Police. Offence has been registered and the applicant/accused apprehends arrest.

4. The learned counsel for the applicant submitted that all other co-accused have already been released by the court of Sessions on bail and the case of the present applicant is not different from those of other accused persons. He submitted that therefore the Sessions Judge ought to have granted the bail. He further submitted that in any case on the basis of parity, the present applicant is entitled to be released on anticipatory bail.

5. The deceased had committed suicide. Nothing is required to be recovered at the instance of the present applicant/accused. The applicant was released on inerim anticipatory bail and he has been consistently thereafter appearing before the police and that is not disputed. Therefore, the police have had an opportunity to interrogate the applicant. The applicant has certainly cooperated with the police in the investigation. Prima facie it appears to me that it is rather incredible that a person who is a primary school teacher would make demand of Rs.3 lakhs to purchase vehicle which he may not able to maintain. Considering this fact, I find that the interim anticipatory bail granted to the applicant deserves to be confirmed. The interim anticipatory bail granted stands confirmed.

Judge.

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